

REPORT UPON
the Establishment of a
PLANNING DEPARTMENT
in the
CITY OF VANCOUVER



HAROLD SPENCE-SALES
and
JOHN BLAND

JULY 20, 1951

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THE ESTABLISHMENT OF A PLANNING DEPARTMENT
IN THE CITY OF VANCOUVER

by

HAROLD SPENCE-SALES

and

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July 20, 1951.

His Worship, the Mayor,
and Members of the City Council,
Vancouver, B. C.

Gentlemen:

It is with pleasure that we present our report upon the setting up of a Planning Department within the civic organization, and upon other pertinent matters.

We wish to take the opportunity to state that we have been assisted in every respect by your officers, and by the Town Planning Commission and its staff. We very much appreciate the courtesy and attention they extended to us. We also wish to thank the many public and private undertakings in the City of Vancouver that have helped us.

We must compliment the City upon the vigour with which it has fulfilled its planning functions since 1926. No city that we have visited in Canada can boast of the wholehearted and devoted service that the Town Planning Commission of the City of Vancouver has rendered, nor are there many municipalities that can claim to have civic organizations of such efficiency.

We trust that the matters laid before you will be viewed in terms of the principles which underly the scope of planning by municipal government. We would suggest that when considering the functions and duties of the Planning Department, due regard will be paid to the wide field of co-ordination involved in pursuing planning effectively.

Respectfully submitted,

(sgd) HAROLD SPENCE-SALES

(sgd) JOHN BLAND

Vancouver, B.C.,
July 20, 1951.

SUMMARY

1. By resolution of Council a Planning Department is to be established as a separate department within the civic organization. In proposing the establishment of the Planning Department, the Town Planning Commission wished to be relieved of the responsibility of technical and administrative matters.
2. This involves a change from planning by commission to planning by municipal government. Such a change is not a drastic happening but one which because of the growth of the city and the increasing complexity of municipal responsibilities was to be expected.
3. The change entails transferring the advisory technical functions of the Commission to the municipal organization, and leaving the Town Planning Commission to advise Council upon the more general aspects of planning the City.
4. Thus, and in order to secure the utmost effect and direction in planning matters, a coordinating departmental body should be established within the municipal organization to advise Council upon technical and administrative proposals for planning.
5. It is therefore recommended that Council should appoint a Technical Planning Board within the civic administration to advise it generally upon technical and administrative matters relating to planning. The members of this Board would be the heads of those departments specifically concerned with the physical development, the City Planner would be its chairman and present all proposals to Council on behalf of the Board.

Summary

6. The purpose of the Board would be to coordinate all municipal functions concerned with the physical development of the urban area and to be responsible for planning proposals relating to the city.
7. The Planning Department would stimulate planning activity but would do so jointly with other members of the Technical Planning Board so as to concert rather than dominate the related departments.
8. The Planning Department would necessarily require to exercise a variety of routine and administrative functions. The administration of the zoning by-law would be its specific responsibility.
9. In order to fulfill the functions that will devolve upon it, the Planning Department requires to be established with adequate technical and other staff appropriate to the scale of planning activities to be undertaken.
10. The Town Planning Commission requires to be re-established with an increased membership drawn from citizen organizations to advise Council on general planning matters, due care being taken to keep the Commission advised on the undertakings of the Technical Planning Board so that its opinion can be properly expressed upon planning matters.
11. In order to bring planning by municipal government into operation, amendments to the Town Planning Act will require to be sought.

INTRODUCTION

The terms of reference upon which this report is based are contained in the resolution of Council dated December 27, 1950

"That a Planning Department be established as a separate department within the civic organization, the duties and scope of such department and its relationships, not only to the Town Planning Commission, but to the various civic departments, to be specifically defined."

The terms of reference were extended by letter from the City Clerk to include advice upon legislative changes, and other pertinent factors involved in the setting up of a Planning Department.

In order to arrive at conclusions upon these matters, we have found it necessary to determine the scope and the nature of the planning purposes which require to be fulfilled in the setting up of the new planning order determined by Council. To do so, we have examined carefully the critical administrative and technical organizations established under the provisions of the Town Planning Act, and such other administrative and technical procedures set up within the civic administration that relate to the physical development of the City of Vancouver. We have also investigated the scope of activities undertaken by various bodies, both statutory and private, which bear directly upon urban growth. In doing so we have endeavoured to assess the various aspects of their undertakings which could be drawn together so as to effect an all-embracing coordination for planning purposes.

Having reached a point of view concerning the manner by which planning could be pursued effectively, we were then able to discuss the concept with the heads of the various civic departments, and with the Town Planning Commission. Each discussion brought forth a development of the theory and clarified the means by which it could be applied. Our conclusions have been shaped by these discussions.

It has been necessary to determine broad principles around which departmental organizations could be devised and

it is important to state, that only with these principles in mind, and in the belief that established local government is dedicated to the common well being, and that its officers and other bodies established by it are solely interested in the public good, has it been possible to come to positive conclusions.

To facilitate an understanding of the principles involved in planning by municipal government, and to present our conclusions as an expression of the application of these principles, which need to be borne in mind continuously, we present our report in seven parts.

Part I deals with the transition from planning by commission to planning by municipal government.

It is contended that the evolution and development of planning functions in the City of Vancouver have proceeded normally since planning was first established in 1926, and that the stage into which planning control is about to enter is occurring in the major cities in Canada. The principles of planning by municipal government are described, and the delegation of duties required to fulfill these principles is reviewed broadly.

Part II describes the scope of work that is entailed in planning by municipal government and sets out the variety of purposes, both public and private, which require to be contained within the machinery to be established.

Part III outlines the manner in which the total administrative organization for planning purposes should be devised and the delegation of the duties and responsibilities which are entailed therein. In the machinery to be established, the orbit of coordination is extended as far as possible to embrace all those specific technical and adminis-

trative purposes which lie within the jurisdiction of Council, together with such external and private purposes bearing upon urban development.

Part IV deals with the functions and duties of the Planning Department. It describes not only the managerial duties that will be imposed upon the City Planner, but also the general responsibilities and their ramifications which necessarily devolve upon an officer whose professional training and attitudes fit him to stimulate planning activity.

Part V deals with the Town Planning Commission as an instrument whereby the influences of public opinion can be effectively exercised upon the determination of planning policies by Council.

Part VI deals with pertinent factors involved in our investigations.

Part VII sets out the statutory powers which would be necessary in order to implement the recommendations we have to make respecting the civic organisation, planning procedures, and other matters.

The Appendix contains sundry papers referred to in the text.

Part I

The Change from Planning by Commission to Planning by Municipal Government.

In the development of local government most municipal functions have grown by stages. The need for a new municipal service is often evoked by the interests or activities of private organizations stimulated by the enthusiasms of individuals and groups. Government is then influenced to embark upon the services that are advocated, and when first taken over such services are usually administered on behalf of government by an advisory body. As experience is gained, and as the magnitude of the undertaking increases, the services are taken over by government and fused with other functions. The custodian duties of the advisory body are relinquished as a whole or in part.

The concept of planning as a function of local government is found in the municipal acts or codes of each of the provinces of Canada, whereby local governments may exercise a rudimentary control over the use of land. Later, and as a result of the enthusiasms of various lay and professional bodies, planning statutes were enacted in some of the provinces. The simple concept of the control of the use of land contained in municipal acts was thus widened - planning could then be undertaken on behalf of a local authority by an advisory or custodian body, usually called a town planning commission. More recently, and because of the increasing magnitude of planning in the larger urban areas, legislation has been enacted whereby urban planning may be undertaken as a prime function of local government relieved of some or all of its custodian aspects. A change from planning by commission to planning by municipal government is taking place.

In British Columbia the Municipal Act prescribes the simplest form of control over the use of land that may be exercised by local government. Because of the enthusiasm of the citizens of Vancouver, and due to the efforts of the Vancouver Branch of the Town Planning Institute of Canada, the Town Planning

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Act was passed by the Legislature in 1925. The Act widened the scope of control over the use of land set out in the Municipal Act - the function of planning was envisaged as a custodian undertaking whereby a planning commission could be established to guide a municipal authority. Since 1925 the scope of the Act has been widened by the addition of a variety of provisions, but the concept of planning by commission remains as the intent of the statute.

Recently, and again in the City of Vancouver, the limitations of planning by commission have been recognized by lay and professional bodies, and the Town Planning Commission itself has recommended and gained the approval of Council to set up a Planning Department within the civic administration. The Commission has expressed the opinion that the arduous duties imposed upon it with respect to technical and administrative matters is now beyond its ability. The recommendation, in effect, is intended to relieve the Commission of the complexities of technical and administrative procedures so that it may, the better, exert its efforts to enable Council to determine broad planning policy.

Thus planning functions in the City of Vancouver have evolved in a normal way - the change from planning by commission to planning by municipal government is not a revolutionary change but one which, because of the growth of the City and the increasing complexity of municipal responsibilities, is to be expected.

Planning by Commission.

Planning by commission has been in operation for 25 years. It is necessary to state that in the towns and cities across Canada, no planning commission has rendered such wholehearted and disinterested services as has the Town Planning Commission of the City of Vancouver. We have been particularly impressed by the sacrifices, in time and convenience, which the members of the Commission have borne, and with the efficacy

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of their endeavours. As evidence, an analysis of the annual reports of the Town Planning Commission (1945-1950) is contained in the appendix to this report.

The Town Planning Act provides that Council may by by-law establish a Town Planning Commission to assist it in an advisory capacity in carrying out such powers and provisions of the Act as the by-law establishing the Commission shall prescribe. The By-law of the City of Vancouver, No. 2048, established the Commission to assist the Council in an advisory capacity within the full meaning and intent of the Town Planning Act (Sections 4 and 9).

Thus the Commission was required to prepare a plan for the comprehensive development of the municipality, to prepare a zoning by-law, and generally to advise upon matters pertaining to town planning. In order to exercise these functions adequately and effectively, the Town Planning Commission itself has created no fewer than nine sub-committees; employed the services of a distinguished firm of planning consultants; and has been assisted technically and administratively by an Executive Engineer and his staff. The budget, provided by the Council, has risen from \$4,000 in 1927 to \$17,070 in 1950.

In broad terms a set of plans for the future development of the municipality is contained in the various reports prepared by the Town Planning Commission. None of these plans, except the Major Street Plan, has been presented to Council for adoption, nor has Council adopted the Major Street Plan, or recent revisions to it. Nevertheless, the set of plans has been used by the civic departments, and by the School Board and the Parks Board, as a guide, wherever practicable. Thus the general intentions of the Act relative to the preparation of plans that would guide the municipalities have been fulfilled. With respect to the Zoning By-law, the responsibilities of the Town Planning Commission have been fully carried out and the provisions of the Act have been complied with in every detail.

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In its advisory functions, the Commission has rendered great assistance to Council.

In effect, the Commission has discharged its responsibilities with competence and thoroughness, though it has met with difficulties that are inherent in the relationship between an advisory body and local government when a duality of functions exists over complex technical and administrative matters. The embarrassments experienced by both Council and Commission are not due to conflicts of personalities, or to deliberate obstruction, but to confusion of responsibility in an undertaking of great magnitude and complexity.

To solve the difficulty it is now recognized that a permanent and well devised organization for planning should be established within the city administration, and that the function of the Commission, as an advisory body to Council, should be unhampered by technical and administrative detail.

Planning by Municipal Government

The overall purpose in planning by municipal government is to coordinate all functions of the municipality that bear upon physical development, so as to conserve resources in attaining the development of the urban area. Two critical considerations arise from this generality - formulating policy, and implementing policy.

Formulating Policy

The determination of planning policy depends upon the presentation of technical and administrative advice, upon the expression of public opinion, and upon the safeguarding of individual rights. Under planning by commission these three aspects are merged in the statutory responsibilities of a town planning commission. In planning by municipal government the technical and administrative functions are transferred to the civic administration, the expression of public opinion is detached from the trammels of technical and administrative procedures,

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and the safeguarding of equity is carried to higher authority.

The purpose in delegating the technical and administrative functions of planning to the civic administration is to effect coordination, and to bring into play for planning purposes the totality of skills, purposes and duties of various departments of the municipality concerned with aspects of physical development. Thus there is brought to bear upon planning proposals a wider range and quality of technical ability, constantly exercised within a coordinated framework, and uninfluenced by external pressures.

The magnitude of undertakings that come within the compass of coordination is such that it should not devolve upon a single department. To achieve the utmost concern and responsibility of the municipal administration, no one department would, in itself, be competent to undertake the whole responsibility for planning, no matter how elaborately measures for inter-departmental coordination were devised. Unless the responsibilities for planning devolve collectively upon those departments specifically concerned with the physical development of the municipality, the quality of coordination and the contribution of technical skills will be impaired.

It must, however, be recognized that a planning department, by virtue of the special attributes of a city planner, is able to exercise a stimulating and creative influence upon urban development. The great contribution that a city planner can make in civic administration is the infusion of planning concepts that will give a creative impetus to otherwise prosaic functions.

Thus it seems appropriate, that a coordinating departmental body should be established within the municipal organization, charged with a joint and several responsibility to advise Council upon technical and administrative aspects of planning. The managerial functions of each department included in the coordinating body require to be kept separate and

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distinct - because of their direct participation in planning it can be assumed that such functions will be undertaken with due interrelation. In the determination of policy matters, therefore, a planning department within the civic administration would act in concert with the coordinating body - influencing it by virtue of its particular attributes, but not overriding it. It would exercise its specific managerial functions separately but within the wider coordinated framework of municipal administration.

In well organized municipal administration it is important to prevent relationships with external agencies or groups that could be employed by a department to engender support in conflict with the stated policy of the local authority.

It may be thought that the grouping of departments for a particular purpose would tend to exercise, on the one hand, an undesirable bureaucratic influence, and on the other, an impersonal attitude towards the interests of the public. The appropriate safeguard against such developments lies primarily in the traditionally recognized authority of local government to decide finally upon matters of policy with which it is charged. Nevertheless, the duties delegated to the departmental body require to be clearly prescribed and limited to technical and administrative advice, and in no respect with determining policy. Moreover, it is essential to mitigate against bureaucratic domination by enabling the expression of public opinion to be voiced at the critical moment at which policy is determined.

In planning by commission the expression of public opinion is projected into technical and administrative ramifications - in planning by municipal government the expression of public opinion should not be able in any way to effect the technical considerations involved in the preparatory stage of planning proposals. This residual function, remaining after the transfer of technical and administrative considerations to the civic administration, is of the utmost significance in

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safeguarding the public interest. The agency for the expression of public opinion requires to be reconstituted so as to exert direct, positive, and well informed influence upon the local authority on general planning matters. To do so effectively the agency ought to be kept informed of the generalities of technical and administrative matters as they are being formulated.

The growing scope of planning throughout Canada tends to place heavy responsibilities upon Provincial Governments in administering their planning statutes, particularly in respect of amendment and appeal. It is often stated that the exercising of provincial authority over a municipality impedes the purposes of local government by creating unnecessary and unwieldy bureaucratic controls. It is, however, essential that in municipal functions which affect property and individual liberty to a greater extent than other municipal responsibilities, a superior appeal authority must be recognized. In planning legislation across Canada this aspect of equity has been carefully nurtured by clearly establishing the authority of the minister charged with administering planning legislation. Such power is not exercised merely to impose bureaucratic control, but to assist and to give purpose to planning - technically, administratively, politically. In particular, the right of appeal to the minister cannot only ensure equity, but also add support to the planning purposes of a local authority.

Implementing Policy

The scope of planning is necessarily limited to the defined public purposes of local government upon which effective action may be taken. In general, and throughout Canada, these purposes deal with streets, public open spaces, public buildings, utilities, and the control of the use of land. The function of planning is to allocate and control the use of land for the planning development of the municipality as a whole - the actual execution of specific works is beyond the strict purview of

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planning. Thus any implementation of a plan aims primarily at making land available for a specific public undertaking to be embarked upon.

In planning by commission proposals for the implementation of the plan may be initiated by the commission. In planning by municipal government initiation should rest solely with the local authority, the coordinating body within the civic administration being responsible for advising the Council upon the initiation so that development takes place in a balanced and coordinated manner.

Upon the approval of the local authority that a specific undertaking is to be embarked upon, the execution of works should devolve directly, and without further ado, upon the department concerned with the work.

PART II

The Scope of Planning by Municipal Government

The scope of urban planning is necessarily limited to the defined public purposes of local government -- streets, public open spaces, public buildings, utilities, and the control of the use of land.

In planning by commission the range of the plan, within the generality of defined public purposes, is one which envisages the comprehensive development of the area over a long and extended period of time. By custom and by the intent of enabling legislation, planning proposals are expected to have a breadth that is farsighted and visionary. Theoretically the degree of coordination over the elements of the plan may well be thorough. In reality, coordination is in fact superficial, concerned as it is with the fusion of long-term proposals that have been carried no further than generalities.

Upon the approval of a plan prepared by a commission in its advisory capacity, it is intended to become binding on both the public and the local authority, and any public improvements implementing the plan are required to comply strictly with the plan without any marked deviation. Schemes for the implementation of the plan are expected to come about as circumstances permit. The breadth of the plan does not allow for any clear-cut programming and timing of works to be considered. The ingredients of the plan are too great in scale and vast in financial implication to commit the planning authority to pursue a positive and clear-cut policy for the fulfillment of the plan. Thus arises the seeming conflict between the intention of the plan and its fulfillment.

In planning by municipal government the content of the plan must also be restricted to the defined public purposes, but it is limited to works that can be positively undertaken within a foreseeable period of time. The farsighted and visionary aspect of planning which it is essential to maintain in planning by municipal government, as much as in planning by commission, underlies the specific improvements that are to be undertaken -- they do not however need to be indicated as the dominant characteristics of the plan.

Thus, in planning by municipal government, the scope of the plan is

relatively restricted but it is devised as one which is truly realistic and achievable within the period which it is intended to cover. Moreover, underlying the proposals there exists a degree of positive coordination that entails the fusion of both public and private undertakings that is totally beyond the scope of planning by commission. In contrast to the broad or master plan devised under planning by commission, a development plan is required in planning by municipal government. The purpose of the development plan and its fulfillment are related matters.

Circumstances related to the extraordinary population increase and growth of the complexities of administration have precipitated the necessity of term planning in all of the public undertakings in the City of Vancouver. The municipality's \$50,000,000 ten-year plan of capital expenditures is an instance of a particular order; but the same attitude can be observed in each of the several departments or authorities responsible for one or other of the defined public purposes. There has been a thoroughly planned program of public works; an expansion program for school buildings; a development program for parks; a conversion plan for the public transit system, and others. Each of these must necessarily be limited to a foreseeable period of time. The coordination of these programs with each other is not formally attempted.

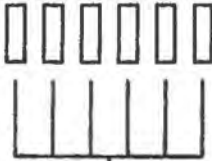
Private proposals, far greater in number and in total value than the public undertakings, are being formulated for an even shorter period of time, although without reference to the plans of the public undertakings. No facilities whatever for the coordination of private and public undertakings have been explored.

Thus, the type of plan that is required to deal comprehensively with the totality of major undertakings in a large city such as Vancouver, so that coordination as a whole and in detail is achieved, must, of necessity, be a specific one embracing those aspects of development that will take place within a foreseeable period of time. In order to establish a clear policy for development, a particular kind of plan is necessary when planning by municipal government is to be embarked upon.

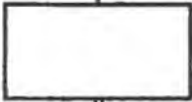
A "Development Plan" therefore should be prepared, indicating proposals for the defined public purposes of the local authority that can be undertaken within a period of, say, 10 years. The Development Plan should

consist not only of a map indicating the pattern of streets, public open spaces, public buildings, and a generalized land use, but also of a program of works that includes capital expenditure and the timing of operations to implement the plan.

CITIZEN ORGANIZATIONS



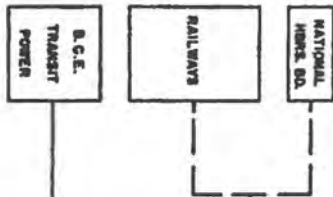
TOWN PLANNING ADVISORY COMMISSION



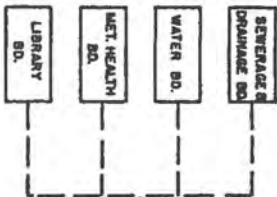
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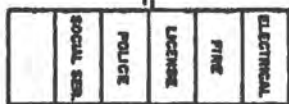
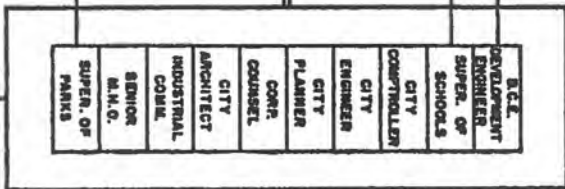
MAJOR UNDERTAKINGS



STATUTORY BOARDS



TECHNICAL BOARD



RELATED DEPARTMENTS

Part III

General Organization and Delegation of Responsibilities

Organization

To coordinate technical and administrative matters bearing upon planning, a departmental body consisting solely of technical and administrative members should be established within the civic administration, embodying also the technical officers of particular private and public undertakings concerned with urban development.

We therefore recommend that Council should appoint a Technical Planning Board, and delegate to it the powers to prepare a development plan; a zoning by-law and any other scheme of implementation of the development plan; and to advise it generally upon technical and administrative matters relating to planning. The Council should authorize the Board to appoint additional technical members from organizations outside the civic administration concerned directly with the matters affecting urban development. The Technical Planning Board should be permitted to seek the advice of such public and private undertakings as lie outside the civic administration concerned with aspects of the physical development.

To enable the following recommendations respecting the Technical Planning Board to be more clearly understood, a chart, (No. 1) illustrating its composition and functions is attached. This should be read in conjunction with the text.

The membership of the Technical Planning Board should be as follows:

- The City Planner
- The City Engineer
- The Corporation Counsel
- The City Comptroller
- * The City Architect
- The Industrial Commissioner
- The Senior Medical Health Officer

The City Planner should act as Chairman and consideration should then be given to appointing the following additional members:

- The Superintendent of Schools
- The Superintendent of Parks
- The Development Engineer of the B.C. Electric Railway Co.

It is suggested that the Executive of the Board might consist of the City Planner, the City Engineer, and the City Architect.

*See Part VI.

The Board should be held jointly and severally responsible for all matters presented to Council; all proposals forwarded to Council should carry the unanimous decision of the Board; and every member of the Board should have equal voting power. The Board should draw into its deliberations, as circumstances require, any other department of the civic organization which is specifically involved.

Thus, the Technical Planning Board would consist of ten members, each directly concerned with technical and administrative responsibilities bearing specifically upon the physical development of the urban area. It should, as circumstances require, call upon the National Harbours Board, the railway companies, the Sewage and Drainage Boards, the Water Board and the like to advise it concerning matters upon which it may be deliberating.

The purpose in recommending joint and several responsibility and unanimity in decision is to ensure that every proposal submitted to Council has been properly and carefully coordinated, and that the departments of the civic organization specifically concerned are clearly responsible, together with their colleagues.

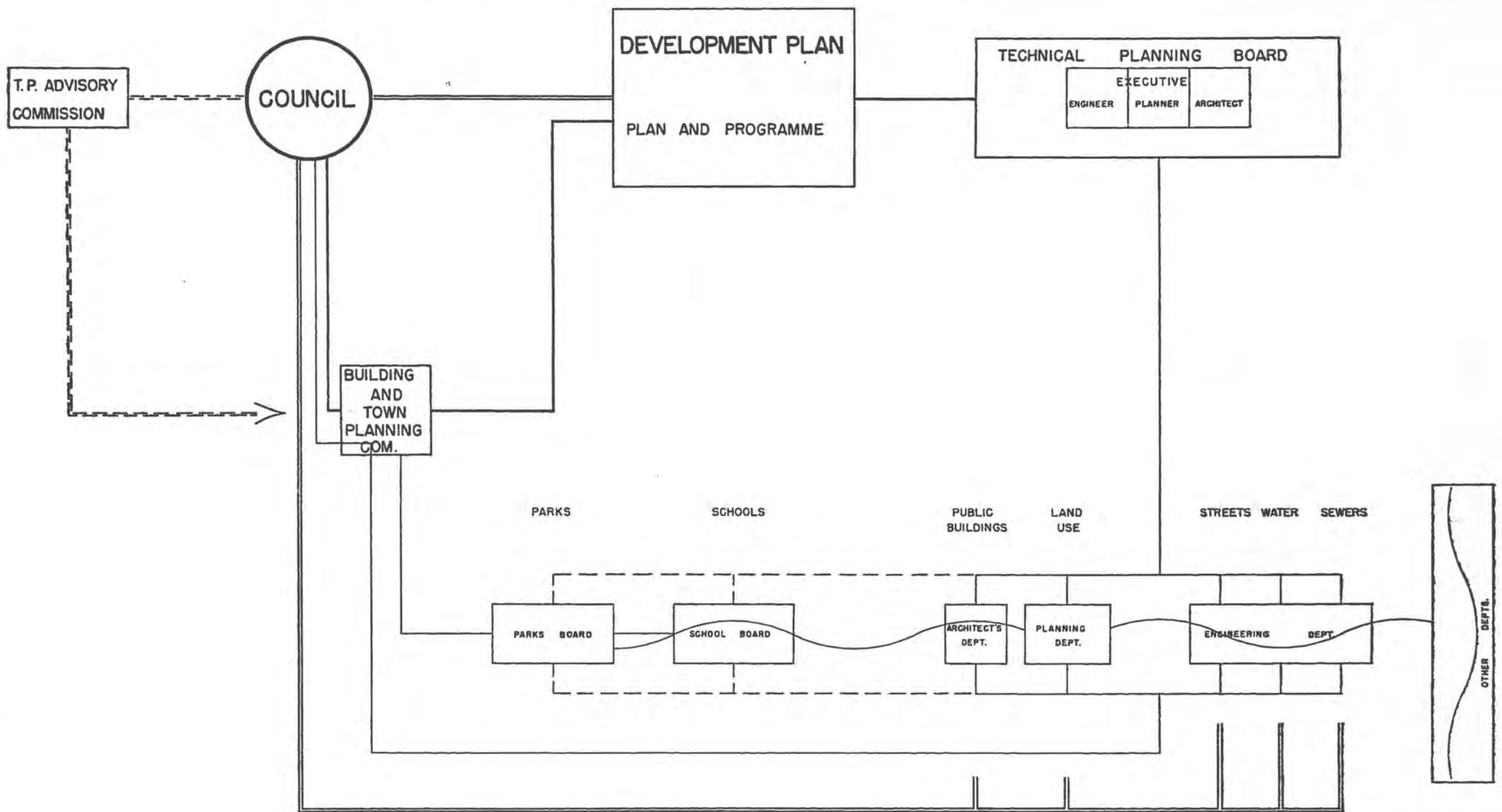
For the expression of public opinion upon planning matters submitted to Council by the Technical Planning Board, a Town Planning Advisory Commission should be set up for the purpose of advising Council with respect to general planning matters.

It is therefore recommended that Council should appoint a Town Planning Advisory Commission to advise it with respect to general planning matters and that the membership of the Advisory Commission should be limited to twenty members -- five to represent statutory bodies and fifteen to be nominated by various citizen organizations concerned with the physical development and general well-being of the city, and to be appointed by Council.

Responsibilities

In the following description of the procedures to be followed by the Technical Planning Board, the interplay and association of the various departments is drawn out. The text should be followed in conjunction with the accompanying chart, No. 2.

Upon the establishment of the Technical Planning Board, planning



procedure will commence. The first step to be taken will be the preparation of a development plan, and then various schemes for the implementation of the development plan will follow. The whole process should be regarded as a continuing operation.

The Preparation on Approval of the Development Plan

It will be the responsibility of the Technical Planning Board to prepare and present for approval to Council a development plan consisting of a map indicating, broadly, the pattern of streets, public open spaces, public buildings, and the generalized concept of land use, based on a program of public undertakings to be completed within a specified period of, say, five years. The object to be attained in gaining the approval of Council for the development plan is the definition of the broad policy to be followed during that period in the development of the municipality as a whole.

The initiation of the development plan might be undertaken as follows. The Technical Development Board, at its first meeting, agrees that the collecting and gathering together of the data upon which their deliberations would commence is to be delegated to the City Planner, who, within his department would have the requisite technical skills for preparing the basic considerations. In doing so the City Planner would obtain from the various departments involved such information as would be necessary to commence consideration. At the appropriate moment the Technical Board would come together to determine the broad principles around which their proposals could be based. It might then be necessary for certain specific studies to be allocated to the departments most suited and established to pursue such investigations. Upon clarification of these ideas, and upon the final determination of the content of the development plan and the program accompanying it, the Board would determine that the proposal it has to present is their agreed submission.

Prior to the submission to Council of the development plan and its accompanying program, it will have been the duty of the City Planner, on behalf of the Technical Planning Board to have presented the Town Planning Advisory Commission with the content and scope of the proposals, due time having been allowed before the public hearing for sufficient consideration to have been

given to the proposals by the Commission.

On behalf of the Board, and as Chairman, the City Planner would then present the development plan to the Building and Town Planning Committee. At a public hearing the Town Planning Advisory Commission would present its observations upon the generality of the proposals.

Assuming that no amendment to the proposal is required following the public hearing and that the Building and Town Planning Committee has approved the proposal, it is then passed to Council for its approval. Thereupon it is transmitted to the Minister of Municipal Affairs for his approval, upon which the development plan then becomes operative. The development plan then serves as a guide for various public undertakings, which implement the plan as and when necessary.

Implementing the Development Plan

The operative stage of planning by municipal government now commences. The content of the development plan and its program are necessarily limited to those defined public purposes upon which the local authority is empowered to act. No item lying beyond the defined public purpose can logically be included as it is not a matter for specific implementation.

By virtue of the duties imposed upon the Technical Planning Board, the initiation of schemes of implementation is their responsibility by preparing and presenting specific items which gradually lead to the achievements that the development plan sets out to attain.

In general, the procedure to be followed with respect to an item of implementation might be as follows. The Technical Planning Board, bearing in mind the pattern of evolution which has been determined, would decide that a certain item now requires to be undertaken. The Board refers the matter to the particular department established to undertake the execution of such works. That department, with the assistance of the City Planner, then proceeds to prepare an initial plan in which every consideration has been given to coordination with all matters affected both directly and indirectly by the proposal. The preliminary scheme is then presented to the Technical Board as a whole. Assuming that no amendment requires to be made, and that the proposal has the unanimous support of the Board, it is then

presented to the Building and Town Planning Committee for its approval. Again, the Town Planning Advisory Commission will have been informed in sufficient time respecting the general implications of the proposal. When the matter is under consideration by the Building and Town Planning Committee, the Commission, if it wishes to be heard, will be able to express its opinion. Upon approval, the proposal is presented to Council.

Upon the approval of the Council to undertake the work, the proposal is then passed to the particular department concerned with execution.

Special reference needs to be made to proposals dealing with schools and parks, as both the School Board and the Parks Board are entitled to proceed with the execution of works without reference to Council. They would, presumably, be represented on the Technical Planning Board by their technical officers who would thus be concerned with the general development plan and schemes for implementation. As the Technical Planning Board cannot appropriately initiate schemes of implementation dealing with schools and parks, any proposals respecting their implementation should be put forward by the School Board or the Parks Board to the Technical Planning Board for its consideration. Before executing a scheme of implementation, the Boards should present their proposals for the information of the Building and Town Planning Committee which could then afford the Town Planning Advisory Commission the opportunity to present their opinions.

A critical instrument of implementation of the development plan is the Zoning By-law, by which the generalized land use indicated in the development plan is brought into effect.

The Zoning By-Law

The prime responsibility for devising a zoning map and the necessary prescriptions that accompany it falls upon the City Planner whose principal duty is to exercise control over land use. After due consideration of the various factors which call for coordination in regulating the use of land, the City Planner would present his draft proposals for the Zoning By-law to the Technical Planning Board for their consideration and approval. Upon the unanimous approval of the Board, the City Planner presents the proposed Zoning By-law to the Building and Town Planning Committee for consideration and public hearing. The Town Planning Advisory Commission will have been

informed of the scope and purposes of the Zoning By-law in sufficient time to enable it to present its opinion upon the generalities of the By-law. Assuming that no amendment is necessary the Committee then transmits the By-law to Council for its approval. The By-law is then presented to the Minister of Municipal Affairs and only becomes effective upon his approval. Thereupon the administration of the Zoning By-law becomes the sole responsibility of the City Planner.

Amendments

The Technical Planning Board is responsible for advising Council on amendments. In the case of an amendment to the development plan the Technical Planning Board would necessarily delegate to the City Planner the responsibility of presenting to it the draft amendment, due coordination with other departments having been undertaken. Upon the unanimous approval of the Board, the amendment is then presented by the City Planner to the Building and Town Planning Committee which calls for a public hearing and considers the opinion of the Town Planning Advisory Commission. If approved, the amendment is then presented to Council, whereupon it is transmitted to the Minister for his consent. The amendment then becomes operative.

With respect to the amendment of the Zoning By-law, however, the detailed procedures which are recommended in the Appendix would be followed -- a procedure similar to that necessary for an amendment to the development plan.

It is understood that matters of implementation or amendment originating with the Council would be sent to the Technical Planning Board for report, and furthermore, such matters originating with the Town Planning Advisory Commission would be presented to Council and then sent on to the Technical Planning Board.

Part IV

The Town Planning Department and its Relationships with other Civic Departments

Council decided by resolution to establish a separate Planning Department within the civic administration. It would hamper the city planner if his duties were predetermined to such an extent that he had little freedom of office. His responsibilities and duties are therefore considered in broad terms.

The critical responsibilities of the City Planner are two. As head of a civic department he must be primarily responsible to Council -- as part of the departmental coordination. He is responsible to the Technical Planning Board.

The City Planner, by virtue of his training and outlook, must of necessity, be free to exercise his abilities within the civic administration so as to give stimulus to the planning of the urban area. His attributes should be recognized and cultivated, yet he should not dominate the civic organization nor embarrass his colleagues by adopting methods that run counter to the concept of departmental coordination that is advocated.

The duties of the City Planner are, in the main, two: general and managerial.

G E N E R A L

The general duties of the City Planner, relative to the preparation of the development plan and its implementation, will occupy most of his time. These duties should not be over specified, as much is dependent upon the free and liberal manner in which the Technical Planning Board recognizes and uses his abilities to the full.

As part of his duties, the City Planner should represent the Technical Planning Board in all matters relating to planning activity, metropolitan and regional.

M A N A G E R I A L

The managerial duty to be specifically delegated to the City Planner is the administration of the Zoning By-law. This will entail the transfer of organization and staff at present established in the Building Department to administer the Zoning By-law.

To give an indication of the duties entailed in administering the Zoning By-law, some observations upon zoning procedure are included in the Appendix. The administration of the Zoning By-law must be separated from the administration of the Building By-law -- and no permit to build and no license with respect to the use of land or building should be issued without it first having been cleared with respect to zoning control. To ensure appropriate coordination within the civic administration the sale or use in any manner of city-owned land should not be executed without prior reference to zoning intentions.

In addition to his duties respecting zoning, the City Planner should also exercise control over subdivision in general and in particular respects. We have recommended elsewhere that the scope of planning legislation should be extended so as to be able to bring about adequate planning control over subdivision without impairing procedures required under the Land Registry Act. The form of control over subdivision that is recommended may not come into effect for some time, but in the interim it is recommended that the subdivision control exercised by virtue of the Land Registry Act within the Engineering Department should be referred to the City Planner. Over and above compliance with the Land Registry Act, all matters relating to the subdivision of city-owned land and any other subdivision projects should be controlled by the City Planner.

It is necessary to emphasize again, the need not to over-prescribe the duties of the City Planner merely to prevent encroachment upon other departments, but rather that in coming to conclusions upon the duties he should undertake, that they will be viewed broadly. The City Planner must be permitted to organize matters and set up his administration within the concept of coordination appropriate to the task before him.

Staff

In order to effect an appropriate degree of coordination throughout the administration, each technical department should have within its organization an officer who, by training, or experience, is aware of the scope and purposes of urban planning. Thus it would be assured that all departments concerned with the physical development of the area are planning-conscious. Over and above this general diffusion of technical skill having an awareness of planning, it is important that the Planning Department itself should be adequately equipped with both technical, administrative and secretarial staff.

With respect to the appointment of the City Planner, we most strongly recommend that the finest qualities in training, experience and personality should be sought, and that the appointment should be advertised in Canada, the United States and Great Britain. It is necessary to state that an experience that has been limited to activity in the United States alone may not be adequate, any more than an experience which is limited to Britain. We would like to suggest however that an English experience may, in fact, be of greater value because of the constitutional basis and the traditions of British Columbia. To attract an applicant of the experience and qualities appropriate to the appointment, we recommend that the salary offered should not be less than \$10,000.

In order to meet the general responsibilities which will devolve upon the City Planner and such broad duties as will require him to prepare surveys and to carry out technical investigations into a multitude of problems, he should be supported by a properly trained or experienced technical staff of four. It is therefore recommended that the City Planner's technical staff should consist of a Deputy City Planner (salary \$5,000. to \$6,000.) and three assistant planners (salaries \$4,000. to \$5,000.).

In addition, it would be essential that expert secretarial help should be provided for the City Planner with the status of Grade IV. In addition, and in order to maintain data, general information and the library, clerical assistance should be provided with the status of Grade III.

With respect to the managerial functions required to be undertaken by the City Planner, the staff at present engaged in zoning administration should be transferred to the Planning Department. This would be the Zoning Administrator and his secretary. It would also be necessary, in order to deal with applicants and the scrutiny of proposals as a distinct and separate organization from the Building Department, that two technical and two clerical officers and a clerical stenographer be attached to the Zoning Administrator's Division.

Thus, the total strength of the Planning Department at its initial stage, would be the City Planner, a deputy, three assistant planners, the zoning administrator, two zoning assistants, two clerks, two secretaries and two clerical assistants. The total salary budget for the department should not be less than \$55,000.

We strongly recommend that the staff of the Town Planning Commission be taken over as a whole and that the assistant engineer, the stenographer and the secretary be placed in the appropriate positions in the Planning Department. During the interim period of the establishment of the new department, the Executive Engineer of the Town Planning Commission should be retained to assist the City Planner. Therefore, an appropriate amount for this purpose should be included for special consulting fees in the salary budget.

We also feel it necessary to draw attention to the question of accommodation and to state that because of the nature of the work to be undertaken by the Planning Department, its accommodation should be adequate and spacious, with good day-lighting.

Part V

The Town Planning Advisory Commission

An appreciation of the Town Planning Commission's activities and of the important part that it should play in planning matters in the City of Vancouver have been described elsewhere in the report. It is necessary to re-state the critical influence that the Commission has to bear upon the determination of planning policy. The severance of technical and administrative consideration from its present functions, leaves the body with the general duty of advising Council upon planning matters. This advise is brought to bear upon the framing of policy.

The setting up of an inter-departmental technical body to consider technical and administrative matters, may, without due safeguard of the public well-being, exert upon Council undue influences and, may, in the pursuit of its activities, neglect equity. Because of the centralization of administration, the Council may also tend to neglect individual liberties. Any such tendencies require to be restrained, and only an agency appropriately established can exert the necessary correctives.

To be well informed upon the manner in which planning is progressing, either positively or in neglect, the Commission requires to be kept fully aware of the technical and administrative considerations that are being undertaken.

In view of the functions which would thus fall upon the Commission, it would be appropriate to reconsider its membership. The statutory memberships to the board should continue but the number of other members should be increased from nine to fifteen, drawn from the professions, and citizen bodies specifically interested in the physical well-being of the City of Vancouver.

It is therefore recommended that an amendment to the Town Planning Act be sought whereby a Town Planning Advisory Commission consisting of five ex-officio members and fifteen appointed members may be established by Council to advise it upon general planning matters. As soon as it is proposed to embark upon planning by municipal government, the Town Planning Advisory Commission should be set up forthwith.

With respect to keeping the Town Planning Commission fully informed of the manner in which technical and administrative considerations are proceeding in the Technical Planning Board, it has previously been suggested that the City Planner as a delegated member of the Board might be responsible for keeping the Commission abreast of affairs. In regard to the various items which will require constantly to be presented to Council for approval by the Technical Planning Board, it has been recommended elsewhere that all papers and relevant information should be presented to the Commission in good time to enable it to express its opinion when such matters are presented to Council.

In order that its affairs are appropriately handled, it is recommended that the Planning Department should provide secretarial services, and other assistance that the Commission may need.

Part VI

Other Pertinent Matters

The most pertinent matters arising from our investigations are as follows:

(1) The Building Department

The scope of the activities of the Building Department is at present limited to administering the Building By-law; its main purpose being to secure the stability of structures, conditions of good health and fire prevention. In a city of the magnitude of Vancouver, in which the development of architectural quality is of paramount significance, there is a lack of an appropriate stimulus concerning the appearance of buildings, particularly in respect of the amenities of the city. Furthermore, insufficient consideration is given to the siting and architectural design of public buildings, more especially to the less monumental structures.

It is therefore suggested that the scope of the Building Department should be extended, and that every effort be made to encourage an architectural character in building that is commensurate with the dignity of the city. Thus, it would be necessary to place the direction of the department in the hands of a capable architect, and to increase the staff of the department sufficiently to enable more positive architectural interest to be given to the control of building. It would also be appropriate that the architect's duties should embrace, besides these matters, the design and execution of at least the minor buildings which the city requires from time to time.

In addition to these matters, the presence of an architect in the city organization would enable a positive contribution to be made with respect to planning matters whereby appropriate and adequate architectural consideration would be available.

(2) Metropolitan Planning

The growth of the City of Vancouver and the municipalities immediately surrounding it have created a metropolis, in which very specific common problems respecting urban development arise. There are inadequate means for bringing into effect the forms of control that should mutually be agreed upon, particularly the control of the use of land. The setting up of the Lower Mainland Regional Planning

Board has established the means by which regional development can be effectively coordinated, but the details of planning control affecting the metropolis is beyond the scope and interest that may justifiably be exercised by the Regional Board. The main purposes of the Regional Board are to bring about a coordination of the major public undertakings, both provincial and local, which occur within the region and to control the use of land as between agricultural interests on the one hand, and urban interests on the other. But with respect to the metropolitan area, specific technical consideration of a truly metropolitan character lie solely with the control authorities composing the metropolis.

It is therefore recommended that every effort be made to establish joint metropolitan planning so as to effect, in particular, a joint control of the use of land. It is not implied that the metropolitan authorities be divorced from the Regional Planning Board, but rather, that they should work in support and in conformity with the region.

In this respect reference is made to the provisions of the Town Planning Act in Part VII of the report.

(3) Technical Considerations

In reviewing the technical matters that have so far been undertaken in planning control in the City of Vancouver, we are of the opinion that, through the lack of staff and a variety of other reasons, the scope of technical considerations lies behind modern practices, and that the administrative procedures are accordingly inadequate. This is particularly so in view of the very complex problem that in general confronts the future growth and development of the city, namely, the control of density and urban re-development. We cannot help but feel that such concepts as Interim Development Control, Density Control by way of Floor Space Indices, and a number of other technical devices require to be brought into operation as soon as possible. It is felt that a general revision of planning techniques will require to be undertaken by the City Planner as soon as he commences his duties.

It is therefore recommended that no action be taken, pending the appointment of the City Planner, upon the revisions to the Zoning By-law which are now before Council.

Part VII

Legislative Matters

General

Whether planning functions should be undertaken by the City of Vancouver by virtue of charter powers, or within the provisions of a provincial statute, is at the root of any comment upon legislative changes that may be necessary to put our recommendations into effect. The subject has been discussed with the Deputy-Minister of Municipal Affairs and with the Corporation Counsel. Both concur that it would be advantageous to employ the provisions of the Town Planning Act, and to seek necessary amendments requisite for planning by municipal government, provided the structure of the statute is not distorted for the special needs of the City of Vancouver. The Corporation Counsel expressed the opinion that the interests of the city would be served if the planning statute conferred wider powers in certain particulars than could be obtained in the Charter, and if reliance could be placed upon the statute to safeguard the integrity of planning procedures. The Deputy-Minister of Municipal Affairs expressed the view that the interests of the province would be served if all planning control throughout British Columbia were undertaken within the provisions of a Provincial Town Planning Act.

We, therefore, deal with legislative matters on the basis that the planning functions to be undertaken by the City of Vancouver will repose upon the provisions of the Town Planning Act (R.S. 1936 Chapter 287, Sec. 1) and Amendments, and that necessary amendments would be sought by the city.

Before proceeding, we feel it necessary to comment upon the frequently expressed opinion that enabling legislation in the United States provides the pattern to which statutory provisions for planning in British Columbia should conform. While much is to be gained in examining the legal measures adopted by various States, it is to be remembered that they do not enjoy the simple derogation of authority conferred by the British North America Act, upon provincial government, in matters relating to local government. Constitutional complexities experienced in the United States do not exist in Canada to the same extent. Thus, the adoption of elaborate and involved procedures derived from the United

In particular, care needs to be exercised over the adoption of American ways for the control of the use of land with respect to both technical methods and administrative procedures.

The Functions of the Minister

Within the provisions of the Act, the Minister may only exercise authority with respect to the determination of regional planning areas and the establishment of regional planning boards. He may also recommend to the Lieutenant-Governor in Council, the establishment of a regulated area within a region. With the increasing complexity of planning matters, and in keeping with provincial responsibility in the administration of planning, the authority of the Minister is clearly determined in the planning legislation of six of the ten provinces in Canada. The scope of such ministerial responsibility in some provinces extends to the determination of planning areas; the initiating of planning control and interim development; the approval of all planning proposals; and the establishment of the Minister as the final appeal authority in all matters.

The scope of planning in British Columbia will increase, as it has in the other provinces, and the provincial responsibility in administering the statute should accordingly be expanded at least to the extent that the Minister is required to administer the Act effectively, and to act as the final appeal authority.

We therefore recommend that an amendment to the Act should be sought, whereby the Minister is called upon to approve the development plan after it has been approved by Council; that the Minister acts as approving authority with respect to any amendment thereto, and to the Zoning By-law; and as the final appeal authority. These powers also need to be extended into Part IV of the Act dealing with regional planning.

The Delegation of Planning Responsibility by the Local Authority

By the provisions of the Act a council may create a Town Planning Commission to assist in an advisory capacity, in carrying out the powers and provisions of the Act. As planning by municipal government requires the establishment of a technical planning board within the administrative organization, it is necessary for this concept to be recognized by the Act.

It is therefore recommended that the Act be amended so that a council may, with the approval of the Minister, appoint a technical planning board or committee to which may be delegated the power to prepare a development plan, and any plan or scheme for implementation which council may call for. (It is assumed that the Zoning By-law is an instrument of implementation). The board should also be required to act generally in an advisory capacity to Council in matters pertaining to planning. It is also requisite that the relationship between the board and a town planning commission should be established by any by-law which sets up the technical planning board.

With respect to the town planning commission, where planning by municipal government is to be established, it is necessary that its functions, as representative of public opinion, should be clearly established, but that technical and administrative responsibility should be beyond its scope.

It is therefore recommended that the Act be amended so that a local authority may set up a commission with purely advisory duties respecting general planning matters, the members of which should be drawn from public bodies and organizations concerned with the development of an urban area.

The Scope and Content of the Plan

The provisions of the Act enable a council to draw up a comprehensive plan or sets of plans for the physical development and improvement of its area in a systematic and orderly manner. In addition plans may be prepared for the development of harbour, railway, rapid transit and street railway facilities, so as to ensure coordination within and about a municipality. Upon approval by council, the plan or set of plans becomes known as an official plan which may, as development progresses or changed conditions demand, be added to or altered. The approval of the plan does not commit council to undertake the projects suggested or outlined, but it does prevent the undertaking of public improvements inconsistent or at variance with the plan.

The intent of the Act is to establish a set of plans as a guide and to alter and adjust them as development progresses. The critical feature of planning by municipal government lies in the coordination of all municipal functions concerned with the physical development of a municipality. Thus, the plan prepared by a technical planning board is essentially a programme of development within a foreseeable period of time and the contents of such a plan must necessarily be restricted to the defined public purposes with which a municipality is concerned. It is also of critical importance that the development proposals within the total coordination should be limited to a specific period so that periodic review is undertaken. Furthermore, as the plan is essentially a programme and a guide, it should be given a limited statutory fixity. It should be possible to interpret and to vary the development plan within certain broad limits.

It is therefore recommended that the Act should be amended to enable an authority to prepare a Development Plan for the territory of the municipality in an orderly, economical and convenient manner; that the plan for development should cover a specific period of time; and that, at the expiry of that period, it should be reconsidered.

The Scope of the Implementation

The scope and content of planning is limited to the defined public purposes for which municipalities are empowered to execute public improvements. Generally, the defined public purposes are five -- the provision of streets, of parks and playgrounds, public buildings, utilities and the control of the use of land (zoning). The purpose of planning is to enable land to be allocated or designated for these ends -- the actual execution of specific works lies beyond the strict planning function. The zoning by-law assumes critical significance as the means for obtaining the over-all pattern of land use, broadly indicated in the development plan. It should therefore be regarded as a critical instrument of implementation.

As an instrument of implementation, the administration of the zoning by-law becomes a managerial function of a municipality. It has been customary to view a zoning by-law as a statutory document having fixity and continuity, the sole acknowledgment of variability being the degree of discretion permitted to a zoning appeal board.

As an instrument of implementation to the Development Plan which in itself is regarded as a flexible outline of intentions, the zoning by-law must also maintain a degree of flexibility. It is of course appreciated that there is the need to exercise strict control over specific districts in which the state of development is clear and firm. Nevertheless, in all cities there are areas in which elasticity in control is essential.

Where the predominant use of land is clearly defined within a natural zone, control requires to be rigid, and amendments to the zoning by-law in such areas should be made as difficult as possible. When land use is in transition, particularly between two natural and dissimilar zones, discretion over control in specified areas should be placed in the hands of Council. With respect to the powers of discretion delegated to the appeal board, they should be strictly limited to relaxation of the literal interpretation of the zoning by-law only, and should not enable the board in any way to deal with a change in the use of land.

It is therefore recommended that to give force to the zoning by-law, it should be approved by the Minister, and any consequent amendment should be subjected to stringent procedures that lead ultimately to the Minister for his approval as the final appeal authority.

It is also recommended that the provisions of the Act with respect to the designation of districts within which development may be permitted or prohibited, should include a further classification covering transitional areas, within which the Council is required to approve all forms of development.

With respect to the duties and responsibilities of the zoning appeal board, the Act should be amended so as to delimit the functions of the board to deal only with hardships arising from the too literal enforcement of a zoning by-law. It should be specifically prescribed that the board shall not have the authority to deal with matters involving a change in land use.

Subdivision Control

No provisions for the control of land subdivision are provided in the Planning Act. Reference is, however, made to replotting. Under the Land Registry Act there are basic difficulties which are insurmountable with respect to the authority of the Land Registry Office. These obstacles can only be overcome if a procedural process is established whereby no registration is made unless planning consent has first been given by the local authority.

It is therefore recommended that additional provisions should be introduced into the Town Planning Act for the control of subdivision. In this respect it is recommended that the procedures developed for the control of subdivision in Saskatchewan and in Alberta should be examined carefully, as they provide perhaps the best means so far devised in Canada for this purpose.

Joint Planning

Provisions of the Act dealing with joint planning activity limit the extent of joint planning merely to discussion between town planning authorities that have established commissions. While it may be assumed that all matters affecting joint planning could conceivably be embraced within the provisions of Part IV of the Act for regional planning areas, difficulty still arises with respect to the uniformity of control over the use of land within the metropolitan area of Vancouver. It is our general concept that regional planning in the Lower Fraser Valley area will be mainly concerned with the coordination of public improvements involving provincial and local undertakings, and with the control of the use of land as between rural and urban needs. Thus, within the regional picture, the control of land use in the area of jurisdiction of a number of adjoining local authorities is a matter upon which separate and distinct action may be necessary. In the metropolitan scene we envisage the need for joint planning control which will be mainly concerned with land use.

It is therefore recommended that the section of the Act dealing with joint planning should be elaborated so as to enable joint planning to be established with appropriate procedures.

Other Matters

In order to bring into effect the proposals for planning by municipal government that are advocated, not only will amendments to the Town Planning Act be necessary, but the administration of planning by the provincial government will require to be augmented. Furthermore, the total scope of the Town Planning Act of British Columbia is far behind the legislation of other provinces of Canada. These matters have been discussed with the Deputy-Minister of Municipal Affairs and a memorandum for submission to his Minister has been requested.

Thus, in addition to general amendments which require to be made for the City of Vancouver, an over-all readjustment of the Planning Act needs to be undertaken. In this respect it is important to bear in mind that the Act should not be distorted for the particular needs of the City of Vancouver, but that its provisions should be so devised, as to enable planning by municipal government to be undertaken by any other local authority that so desires.

It is therefore suggested that a detailed consideration of amendments to the Town Planning Act, mentioned above, should await the submission of our memorandum to the Deputy-Minister. Should the City seek amendments to the Act, it ought to do so to obtain not only the powers it needs, but also to effect a general improvement of the statute.

APPENDIX

Zoning Procedures affecting Relationships in Civic Administration

To describe the procedures for zoning in a convenient manner, five separate cases are outlined.

1. Applications

All formal applications for consent under the Zoning By-law should be made by the owners of the land. The application should be received in writing with an appropriate form and a declaration of intention completed. Due and proper consideration should be given to the application and no decisions should be made over the counter. In the case of a consent a letter should be despatched to the applicant, informing him of consent and enclosing an approved copy of his declaration of intention in which are enumerated specific aspects of occupancy that affect the use of land. No application for a building permit should be accepted without being accompanied by the approved declaration of intention and the letter of consent respecting zoning.

In case of refusal a letter should again be transmitted to the applicant, and where undue hardship has been imposed by virtue of a too literal interpretation of the by-law, the applicant should be informed of his right of appeal to the Zoning Appeal Board. In case of a refusal on the clear contravention of the by-law the applicant should not be informed of the recourse he has for obtaining an amendment to the Zoning By-law.

In applying for decision by the Zoning Appeal Board, the applicant should be required to state his case relative only to the hardship of the literal enforcement of the Zoning By-law, and no other consideration should go forward to the Appeal Board. Should the Appeal Board consent, the procedure relative to an application being granted a formal consent should be followed.

With respect to an amendment of the Zoning By-law, a rigorous procedure should be imposed so as to ensure that amendment is a difficult and arduous process. An application for an amendment to the Zoning By-law should be accompanied by a full and complete statement of the basis upon which the amendment is

sought. Upon receipt of the amendment a complete and thorough analysis of the situation and a report upon the issues at stake should be prepared, and as the case is one which affects the very structure of the Zoning By-law it should be carried by the City Planner to the Technical Planning Board for its formal consideration. On the assumption that the Technical Planning Board supports the arguments upon which the amendment should be granted or refused, the case should then be presented to the Building and Town Planning Committee of Council who will order the appropriate procedure to be undertaken with respect to notification and public hearing. In both a refusal or a consent the decision of the Council shall be referred to the Minister of Municipal Affairs whose decision shall become binding and final.

Thus the procedures should establish first and foremost that no consent for a building permit may be granted without prior consent under the Zoning By-law. Secondly, that in case of an application to amend the Zoning By-law a rigorous procedure is established requiring full consideration of the Technical Planning Board, the Council, and the final agreement or otherwise of the Minister of Municipal Affairs.

TOWN PLANNING COMMISSION

We have had the opportunity of examining the Annual Reports of the Town Planning Commission over the past 6 years. We have tabulated the contents of these reports in a comparative manner in order to observe the wide extent of the Commission's undertakings. However, the section dealing with "Looking Forward", contains matters which are difficult to set out in such form.

In 1945 the Commission looked forward to the completion of the revision of the town plan and to distribution. It felt that it would be necessary to give this wide-spread publicity; in fact, publicity was considered to be the greatest single task before the Commission after the revision of the plan.

The report for 1946 does not include a section on this matter. However, in 1947 the Commission reported that it was looking forward to the completion of the remaining reports which were expected to be printed along with the others that had been completed in one volume comprising the entire report -- to be called "The Revised Plan of Vancouver". The Commission also expected to submit its new zoning district plan, and following that, a new issue of the zoning diagram.

In 1948 the Commission reported that it was looking forward to the Provincial Legislation for regional planning, and the possibility of a Metropolitan Planning District. It considered that it was important to determine sites for metropolitan parks and airports, and suggested that steps should be taken for discussion of these matters among the representatives of all interested municipalities.

In 1949 the Commission looked forward to the completion of the Zoning By-law and the Zoning District Plan which had proved to be very involved. The Commission hoped to print and issue the Zoning Report in the following year. It also looked forward to the establishment of a Planning Department in the municipality. It looked forward to action being taken upon eight special street proposals which were enumerated.

In 1949, and again in 1950, this section of the Commission's report contains a group of proposals which the Commission

felt to be of serious importance and it took the opportunity of drawing Council's attention to them. They included:

A new land use plan in greater detail.

A downtown East End re-development survey.

A survey of sites for large-scale housing.

The preparation of subdivision plans for areas to be sold.

The partition of the city into neighbourhoods and a study of facilities for each.

A survey of industrial areas.

The study of sites for future public buildings.

Study for a New-Westminster-Vancouver expressway.

A study for the rehabilitation of False Creek.

A study of the North Arm of the Fraser Crossing at Marpole.

A study of vision at intersections, and the enforcement of hedge and fence regulations.

A study of the elimination of overhead wires.

1945	1946	1947	1948	1949	1950
<u>EXECUTIVE</u> Chas. T. Hamilton, C. H. V. Jackson F. E. Buck J. C. MacPherson John S. Porter Earl M. Bennett	H. V. Jackson, C. John S. Porter E. M. Bennett Frank E. Buck J. C. MacPherson C. T. Hamilton	H. V. Jackson, C. J. Briggs J. C. MacPherson E. M. Bennett F. E. Buck F. N. Hamilton	J. Briggs, C. C. D. Houghland F. E. Buck H. J. DeGraves J. C. MacPherson H. V. Jackson	J. Briggs, C. C. D. Houghland C. Brakenridge F. E. Buck J. C. MacPherson H. V. Jackson	C. Brakenridge, C. A. J. Harrison F. E. Buck H. V. Jackson J. C. MacPherson J. Briggs
<u>GENERAL REVIEW</u> Revision of Plan Re-Zoning Visits of Consultants Preparation of 7 reports 92 meetings.	Revision of Plan Re-Zoning Civic Centre Legislation Visits of Consultants 98 meetings.	Revision of Plan 7 Reports completed 3 being printed 2 being prepared Traffic Count Town Planning Displays Civic Centre 10-year program 60 meetings	Revision of Plan Zoning report Revised Zoning By-law 3 reports printed 2 in preparation 71 meetings	Revision of Plan 10 Reports published 1 in preparation 70 meetings	Revision of Zoning By-law and Zoning Plan. Elimination of basement suites. Civic Planning Dept. 82 meetings
<u>COMMITTEE WORK</u> Zoning 22 meetings	25 meetings	14 meetings 70 applications for changes; all but 5 recommendations up- held by Council.	21 meetings 53 applications for changes; all but 2 recommendations up- held by Council	23 meetings 78 applications for changes; 70 considered 58 upheld by Council	25 meetings 65 applications 31 recommended approval 33 " refusal 41 received adopted by Council. 6 " not adopted Remainder not dealt with or withdrawn.
<u>STREETS & TRANSIT</u> 5 meetings Revision of major street plan.	6 meetings Widths of major str- eets consideration of consultants' proposals.	6 meetings Setting of building Lines on streets under zoning	3 meetings Street connections (7 meetings with special committee of Council concerning 10- year transit development plan).	4 meetings Street widenings. (6 meetings with special committee)	6 meetings particular street proposals.
<u>PLANS APPROVAL</u> 2 meetings Shaughnessy Heights subdivision	9 meetings Shaughnessy Heights subdivisions.	3 meetings Shaughnessy Heights subdivisions.	5 meetings Shaughnessy Heights re-subdivisions.	4 meetings Shaughnessy Heights re-subdivisions; no applications were approved. 5 received 2 laid over	5 meetings Shaughnessy Heights 10 applications 6 rejected 4 approved
<u>RECREATION & CIVIC ART</u> 2 meetings Civic Centre	3 meetings appearance of City	2 meetings appearance of city tree planting. also Civic Centre Committee. cooperation with C.F.C.	2 meetings appearance of city street signs	2 meetings play lots concerning industries parks and canals	3 meetings Park sites.

TOWN PLANNING COMMISSION

1945	1946	1947	1948	1949	1950
<u>SPECIAL COMMITTEES AND OUTSIDE ORGANIZATIONS</u>					
Vancouver Traffic and Safety Council. Lower Mainland and Regional Planning Association School and Park Sites Committee. Vancouver Welfare Council's Housing Committee.	Committee of Engineers re Fraser River crossing at Marpole. C.P.A.C.	Committee of Engineers re Fraser River crossing at Marpole. Vancouver Housing Assn. Vancouver Traffic and Safety Council. C.P.A.C.	Community Planning Association of Canada.	Community Planning Association. Regional Planning need for recognized.	10-year transit Development Plan. Industrial Development Commission. School and Park sites Committee. Vancouver Housing Assn. Vancouver Traffic and Safety Council. Staff studies Zoning, Major Street & Industrial areas.
<u>ATTENDANCE.</u> Actual attendances expressed as a percentage of possible attendances.					
Regular 75%	Regular 76%	Regular & Special 67%	Regular & Special 64%		Regular & Special. 69%
Special 76%	Special 68%	Committees 73%	Committees 62%		
Executive 78%	Executive 78%	Executive 84%	Executive 79%		Executive 76%

1945	1946	1947	1948	1949	1950	2
<u>HOUSING & BLIGHTED AREAS</u> 2 meetings housing survey	Statement of Commission policy on Housing. Ref. to Vancouver Housing Association		1 meeting Concerning a Housing survey. Relations with Vancouver Housing Assn.	1 meeting Need for survey of central district. Regret Housing authority not re- appointed.	4 meetings Rehabilitation. Proposed extension of #2 fire limit.	
<u>EDUCATION</u> 5 meetings 1 public meeting. Reports upon population and transit explained						
<u>PUBLICITY & PUBLIC RELATIONS</u> 10 meetings. Arrangements for members to speak before clubs, etc. 22 addresses. 17 visitors.	Distribution of Reports. 24 addresses by members. Australian Engineers. 19 visitors. Annual Dinner Several luncheons.	2 meetings Displays and articles. 20 addresses upon planning by members 33 visitors Annual Dinner.	Displays at Exhibitions Cooperation with CPAC Report sales. 13 addresses Annual Dinner.	2 meetings Building lines-41st Ave. Planning brochure. Civic statistics and information. Cooperation with CPAC and Vancouver Housing Assn. 15 addresses.	Report sales 545 items. Library 2200 pamphlets 250 bound volumes Annual dinner 15 visitors. 5 addresses.	
<u>HARBOUR RAILWAYS & AIRPORT</u>	6 meetings Metropolitan airport Report					
<u>STREET WIDENING LEGISLATION</u>	Bartholomew met with chairman and officials to learn of U.S. method of effecting street widening under zoning					
<u>LEGISLATION COMMITTEE</u>				1 meeting Amendments to B.C. Planning Act.		
<u>ADMINISTRATION OF THE PLAN</u>				A special meeting of Commission and Council to discuss commission's brief.		
<u>PUBLIC BUILDINGS</u>					Commission. Site for Police Headquarter Site for Public Library.	

BOARD OF APPEAL

We had the opportunity of examining the reports of the Zoning By-law Board of Appeal over the 6 years, 1945-50. A comparative table of the nature of the appeals and the actions taken upon them, is attached. However, the reports include comments which cannot be shown in a table. They are as follows:

In 1945, the Board reported an increase in the number of appeals, due to difficulties through the lack of housing accommodation. They also reported that there appeared to be a lack of suitable small industrial premises which was evidenced by a number of requests to them to allow the temporary use of basements and garages for industrial purposes in residential areas.

In 1946, the Board reported that the increase in the number of appeals was again due to the extreme shortage of accommodation and the attempts that were being made to provide additional housekeeping units and small workshops. Most appeals of this nature were granted subject to guarantees that such accommodations would be removed when no longer required by veterans.

In 1947, the Board again reported that most appeals were made by veterans attempting to re-establish themselves after War service, and that temporary consents were granted for the period of the emergency.

In 1948 the Board reported that it had given temporary consents for additional housekeeping units subject to their removal when housing conditions improved. They also noted that appeals to establish businesses and homes, decreased.

In 1949, the Board reported the housing shortage and high cost of construction and purchase price was forcing people to divide their homes in order to obtain some revenue. No housekeeping units in basements were approved, except in cases of extreme hardship, and then only for a specific period. It was reported that temporary consents for business and homes were granted due to the emergency.

In 1950, there was a slight decrease in the number of appeals. No housekeeping units were permitted in basements. Temporary consents for construction in advance of building lines to be removed at no cost to the city, were granted. And again, temporary consents for businesses in homes, were granted.

ANALYSIS OF ANNUAL REPORTS OF ZONING BY-LAW BOARD OF APPEAL...1945-1950

	1945	1946	1947	1948	1949	1950
Number of Appeals Presented	451	612	462	423	455	398
Number of Appeals Dismissed	35	64	122	130	141	108
Number of Appeals Withdrawn	12	27	8	16	22	16
Number of Hearings Held	23	25	25	25	26	24
No. of Sites Inspected by Board	261	270	253	379	434	349
Mileage Covered on Inspections	1000	1125	1085	990	1029	1037
Average No. of Appeals per month	31	51	46	35	38	32

APPEALS CLASSIFIED ACCORDING TO DISTRICTS

One-family dwelling Districts	332	415	319	285	293	232
Two-family dwelling Districts	50	63	45	34	42	30
Three-storey multiple Dwelling Districts	37	64	40	50	34	40
Six-storey multiple Dwelling Districts	10	18	13	10	13	14
Local Commercial District	12	18	18	13	16	17
Three-storey Commercial District	8	29	16	19	22	23
Six-Storey Commercial District	1	--	3	4	2	11
Six-Storey Light Industrial District	9	3	8	8	8	11
General Business District	2	1	--	--	1	2
Heavy Industrial District	-	1	-	-	2	2
No. of Appeals Withdrawn (not classified)	-	-	-	-	22	16

CLASSIFICATION OF APPEALS

Re Space About Building	118	171	140	112	156	170
Re Accessory Building	33	46	37	81	56	8
To remodel for 2-family dwellings	93	110	72	63	64	40
To Remodel for Apartments	20	22	18	15	9	11
Re Home Occupations	76	143	84	43	29	33
Re Non-conforming Uses	16	28	25	22	33	26
Re Establishment of Kindergartens	--	13	7	7	6	6
To Erect Sheds for Boat-building	--	14	5	10	4	4
Miscellaneous Appeals	93	65	74	70	76	84
No. of Appeals Withdrawn (not classified)	--	--	--	--	22	16

ANALYSIS OF BUILDING PERMITS ACCORDING TO USE OF BUILDING, WHETHER NEW CONSTRUCTION OR ALTERATION OVER PERIOD 1945 / 1950.

CLASSIFICATION	1945		1946		1947		1948		1949		1950	
	New	Alter	New	Alter	New	Alter	New	Alter	New	Alter	New	Alter
Apartments	29	109	15	100	14	83	21	70	28	102	33	92
Auto Camp	-	-	-	-	-	-	-	4	-	-	-	-
Auto Court	-	-	4	-	3	2	-	-	1	-	-	-
Bowling Alley	-	-	1	-	3	2	-	-	-	-	-	-
Bungalow Court	-	-	-	-	-	1	3	-	-	-	-	-
Church	-	-	4	1	9	19	-	-	-	-	-	-
Dwelling	2,687	1,743	3,307	1,454	2,128	1,623	3,367	1,417	2,180	1,598	1,781	1,377
Funeral Home	-	-	1	-	-	-	-	-	-	-	-	-
Garage	976	100	889	133	1,098	132	1,272	138	1,490	122	1,582	118
Gas, Oil Tanks	-	-	1	-	-	-	-	-	-	-	-	-
Hospital	-	-	1	-	-	5	-	-	-	-	-	-
Housekeeping Rooms and Lodging Houses	-	150	-	67	-	101	-	154	-	191	-	130
Internes' Home	-	-	-	-	1	-	-	-	-	-	-	-
Miscellaneous	374	297	367	370	298	595	920	365	878	272	784	412
Motel	-	-	-	-	-	-	1	-	-	-	-	-
Nurses' Residence	-	-	-	-	-	-	-	-	1	-	-	-
Public, Semi-public Buildings	9	71	17	70	9	60	29	89	31	70	18	75
Residence for Blind	-	-	-	-	-	-	1	-	-	-	-	-
Roller Rink	-	-	-	-	1	2	-	-	-	-	-	-
School	-	-	1	-	1	5	-	-	-	-	-	-
Stables	-	-	5	-	-	-	-	-	-	-	-	-
Stores and Offices	41	285	209	422	156	508	151	461	84	444	115	485

ANALYSIS OF BUILDING PERMITS

CLASSIFICATION	1945 NEW	ALTER	1946 NEW	ALTER	1947 NEW	ALTER	1948 NEW	ALTER	1949 NEW	ALTER	1950 NEW	ALTER
Sub Stations	1	-	-	-	-	-	-	-	-	-	-	-
Terraces	3	-	17	-	1	1	4	1	1	-	-	-
Theatres	-	-	-	-	-	1	-	-	-	-	-	-
Workshops, Factories and Warehouses	107	218	153	226	157	265	78	170	44	117	50	139
TOTALS	4,227	2,973	4,992	2,843	3,879	3,405	5,847	2,869	4,738	2,916	4,363	2,828
Number of Building Permits Issued	7,000		7,835		7,284		8,716		7,654		7,191	
Value of Building Permits	\$16,848,897.00		\$28,136,963.00		\$21,877,675.00		\$37,242,817.00		\$34,900,669.00			